

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of L.T.M., Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

LUCHANA CHARMAINE MASON,

Respondent-Appellant.

UNPUBLISHED
February 18, 2003

No. 238919
Wayne Circuit Court
Family Division
LC No. 00-389906

Before: O’Connell, P.J., and Fitzgerald and Murray, JJ.

MEMORANDUM.

Respondent appeals as of right from the trial court order terminating her parental rights to the minor child under MCL 712A.19b(3)(a)(ii) (desertion), (c)(i) (the conditions leading to adjudication continue to exist with no reasonable likelihood of rectification), and (g) (failure to provide proper care or custody with no reasonable expectation of change within a reasonable time). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E)(1)(b).

Respondent’s argument is cursory. She does not specify whether she challenges the sufficiency of the evidence establishing the statutory grounds or the trial court’s finding regarding the child’s best interests. Instead, respondent merely states that the trial court abused its discretion by terminating her parental rights without allowing her more time to complete a substance abuse treatment program.

First, we note that the proper standard of review regarding termination of parental rights is clear error, rather than abuse of discretion. *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Second, it is not sufficient for a party “simply to announce a position or assert an error and then leave it up to this Court to discover and rationalize the basis for his claims, or unravel and elaborate for him his arguments, and then search for authority either to sustain or reject his position.” *Wilson v Taylor*, 457 Mich 232, 243; 577 NW2d 100 (1998), quoting *Mitcham v Detroit*, 355 Mich 182, 203; 94 NW2d 388 (1959). Accordingly, this Court need not address respondent’s argument.

In any event, respondent's argument is without merit. The evidence established that she had a five-year history of abusing drugs and had left the child, who was ten and a half months old at the time, alone in an apartment for at least an hour. During the fifteen months between the initial dispositional order and the termination hearing, respondent had entered two different drug treatment programs that she failed to complete, twice refused referrals to other treatment programs, and tested positive for drugs shortly before the termination hearing. The evidence also showed that respondent failed to successfully complete a psychological evaluation, counseling, and parenting classes. Further, respondent visited the child sporadically, did not remain in consistent contact with the agency, and failed to appear at the termination hearing.

Thus, the trial court did not clearly err in finding that § 19b(3)(c)(i) and (g) were established by clear and convincing evidence. MCR 5.974(F)(3), (I); see also *In re Sours*, 459 Mich 624, 632-633; 593 NW2d 520 (1999). Conversely, we are not convinced that termination was proper under § 19b(3)(a)(ii). Only one of the three periods of alleged abandonment cited by petitioner was clearly shown to be "91 or more days," MCL 712A.19b(3)(a)(ii), and during that period respondent appeared at a hearing and contested jurisdiction, which can arguably be viewed as seeking custody. However only one statutory ground need be established in order to terminate parental rights. *In re McIntyre*, 192 Mich App 47, 50; 480 NW2d 293 (1991).

Further, the evidence did not show that termination of respondent's parental rights was clearly not in the child's best interests. MCL 712A.19b(5); *Trejo*, *supra*. Thus, the trial court did not err in terminating respondent's parental rights to the child.

Affirmed.

/s/ Peter D. O'Connell
/s/ E. Thomas Fitzgerald
/s/ Christopher M. Murray